

## **CHAPTER 3.1 LOW DENSITY (RS-3.5) ZONE**

### **Section 3.1.10 - PURPOSE**

This zone implements the Low Density Residential Comprehensive Plan designation, which allows from two to six dwelling units per acre. The RS-3.5 Zone is retained to provide land use and development standards for areas of the City that were zoned RS-3.5 and platted to urban densities as of December 31, 2000. Additionally, the RS-3.5 Zone is retained for areas of the City that were zoned RS-3.5 as of December 31, 2000, and are less than or equal to 1 acre in size. No new areas shall be zoned RS-3.5 and no existing zones shall be changed to RS-3.5.

### **Section 3.1.20 - PERMITTED USES**

#### **3.1.20.01 - Ministerial Development**

##### **a. Primary Uses Permitted Outright**

1. Residential Use Types
  - (a) Family
2. Residential Building Types
  - (a) Single Detached
3. Civic Use Types
  - (a) Community Recreation
  - (b) Public Safety Services

##### **b. Accessory Uses Permitted Outright**

1. Accessory Dwelling Units subject to provisions in section 4.9.40 of Chapter 4.9 - Additional Provisions
2. Colocated/attached wireless telecommunication facilities on nonresidential structures that do not increase the height of the existing structures, subject to the standards in Chapter 4.9
3. Essential Services
4. Day Care, Family, as defined in Chapter 1.6
5. Home Business, as defined in Chapter 1.6

6. Horticulture (personal use)
7. Model Dwelling Units
8. Other development customarily incidental to the primary use in accordance with Chapter 4.3 - Accessory Development Regulations
9. Required off-street parking for uses permitted in this zone in accordance with Chapter 4.1 - Parking, Loading, and Access Requirements
10. Sports and Recreation (personal use)
11. Tree, Row, and Field Crops (personal use)

#### **3.1.20.02 - Special Development**

- a. **Conditional Development** - Subject to review in accordance with Chapter 2.3 - Conditional Development and all other applicable provisions of this Code.
  1. Colocated/attached wireless telecommunication facilities on nonresidential structures that increase the height of the existing structures, subject to the standards in Chapter 4.9 - Additional Provisions
  2. Day Care, Commercial Facility, as defined in Chapter 1.6
  3. Cultural Exhibits and Library Services
  4. Freestanding wireless telecommunication facilities, subject to the standards in Chapter 4.9
  5. Funeral and Interment Services (interring and cemeteries only)
  6. Lodges, Fraternal and Civil Assembly
  7. Major Services and Utilities
  8. Minor Utilities subject to standards in Chapter 4.9
  9. Participant Sports and Recreation (Indoor and Outdoor)
  10. Religious Assembly
  11. Schools

### 3.1.20.03 - General Development

- a. **Plan Compatibility Review** - Subject to review in accordance with Chapter 2.13 - Plan Compatibility Review and other applicable provisions of this Code.
1. Projections such as chimneys, spires, domes, and towers not used for human occupancy and exceeding 20 ft. over the height of the structure or 40 ft. in height, whichever is less, in accordance with section 4.9.50 of Chapter 4.9 - Additional Provisions. Note: Flagpoles are subject to height requirements in section 4.7.70.b of Chapter 4.7 - Sign Regulations.
  2. Development consistent with the development standards of the RS-5 Zone, provided adherence to the standards in Chapter 4.10 - Pedestrian Oriented Design Standards and provided that the housing types and land uses are consistent with the RS-3.5 Zone.

**Table 3.1-1**  
**Section 3.1.30 - RS-3.5 DEVELOPMENT STANDARDS**

	Standard
a. Minimum Density	2 units per acre
b. Maximum Density	6 units per acre
c. Minimum Lot Area	8,000 sq. ft.
d. Minimum Average Lot Width	65 ft.
e. Minimum Setbacks**	
1. Front yard	15 ft. (unenclosed porches may encroach into front yards up to a maximum of 6 ft.)
2. Rear yard	25 ft.
3. Side yard (interior)	8 ft.
4. Corner lot	20 ft. on side abutting street (and vision clearance in accordance with section 4.1.40.c)

<b>f.</b>	<b>Minimum Garage/Carport Setbacks</b> 1. Garage/carport entrance parallel to street 2. Garage/carport entrance sideways/perpendicular to the street	19 ft.  15 ft.  Setbacks from alleys in accordance with section 4.0.60.j of Chapter 4.0 Garages/carports are also subject to the provisions in Chapter 4.10 - Pedestrian Oriented Design Standards
<b>g.</b>	<b>Minimum Setbacks from Properties Zoned Agricultural-Open Space (AG-OS)</b>	When residential development is proposed next to AG-OS land, a minimum 50-ft.-wide continuous plant or plant/berm buffer is required. Additionally, the minimum setback adjacent to AG-OS is 100 ft. It is the applicant's responsibility to provide the buffer.
<b>h.</b>	<b>Maximum Structure Height</b>	30 ft., not to exceed a solar envelope approved under chapters 2.18 or 4.6
<b>i.</b>	<b>Maximum Building Site Coverage</b>	None
<b>j.</b>	<b>Off-Street Parking</b>	See Chapter 4.1

**\*\*Outdoor components associated with heat pumps and similar equipment for residential structures shall not be placed within any required setback area. When located outside a setback area, but within 5 - 10 ft. of a property line, such equipment shall be screened on all sides with a solid fence or wall at least 1 ft. higher than the equipment. When located outside a setback area, but greater than 10 ft. from a property line, such equipment requires no screening. Equipment screening requirements for nonresidential structures shall be in accordance with Chapter 4.2.**

### **Section 3.1.40 - GREEN AREA REQUIREMENTS**

- a.** A minimum of 50 percent of the gross lot area shall be retained and improved or maintained as permanent green area (landscaping, unprotected preservation areas, and/or pedestrian amenities such as sidewalks, plazas, multi-use paths, patios, decks, etc.). A minimum of 15 percent of the gross lot area shall consist of vegetation (landscaping or naturally preserved vegetation).
- b.** Landscaping within the required green area shall be permanently maintained in accordance with Chapter 4.2 - Landscaping, Buffering, Screening, Natural Resource Protection, and Lighting. Landscaping shall primarily consist of ground cover, ferns, trees, shrubs, or other living plants with sufficient irrigation to properly maintain all vegetation. Drought-tolerant plant materials are encouraged. Design elements such as internal sidewalks, pedestrian seating areas, fountains, pools, sculptures,

planters, and similar amenities may also be placed within the permanent green areas.

- c. Within the required green area for single-family dwellings, a private outdoor space equal to at least 10 percent of the total lot area per dwelling unit shall be designed to be viewable and accessed by the interior space via doors and windows. These private outdoor space requirements may be met by providing private side or rear yard areas, or patios.

### **Section 3.1.50 - COMPLIANCE WITH PEDESTRIAN ORIENTED DESIGN STANDARDS OF CHAPTER 4.10**

#### **3.1.50.01 - Required Compliance**

The pedestrian oriented design standards of Chapter 4.10 shall apply to the following types of development in the RS-3.5 Zone:

- a. All new buildings or structures for which a valid permit application has been submitted after December 31, 2000;
- b. Developments subject to Conditional Development and/or Planned Development approval, as required by a condition(s) of approval(s); and
- c. Independent or cumulative expansions of a nonresidential structure in existence and in compliance with this Code on December 31, 2000, or constructed after December 31, 2000 pursuant to a valid Conceptual or Detailed Development Plan approved on or before December 31, 2000, shall comply with the pedestrian requirements of Chapter 4.10 - Pedestrian Oriented Design Standards, sections 4.10.70.02 through 4.10.70.05, with allowances for choices among some standards as identified in 4.10.70.01, provided that:
  - 1. The expansion adds floor area of more than 3,000 sq. ft.; or
  - 2. The expansion adds floor area of more than 500 sq. ft. and is equivalent to more than 20 percent of the existing structure's gross floor area.

#### **3.1.50.02 - Exceptions to Compliance**

Independent or cumulative expansions of a nonresidential structure in existence and in compliance with this Code on December 31, 2000, or constructed after December 31, 2000 pursuant to a valid Conceptual or Detailed Development Plan approved on or before December 31, 2000, shall not be required to comply with the design standards of Chapter 4.10 provided that:

- a. The expansion adds floor area of 500 sq. ft. or less; or

- b. The expansion adds floor area of 3,000 sq. ft. or less and is equivalent to 20 percent or less of the existing structure's gross floor area.

### **Section 3.1.60 - VARIATIONS**

Variations from development and design standards (i.e., standards this chapter and in other Code chapters that discuss parking, landscaping, public improvements, and pedestrian oriented design standards) may be allowed through the Planned Development and Lot Development Option processes outlined in chapters 2.5 and 2.12 of the Code, respectively.